



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,293	07/15/2003	Jonathan T. Mackey	19282-00016	7439
33772	7590	11/02/2004	EXAMINER	
MCDONALD HOPKINS CO., LPA 2100 BANK ONE CENTER 600 SUPERIOR AVENUE, E. CLEVELAND, OH 44114-2653			LEE, SEUNG H	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/619,293

Applicant(s)

MACKEY, JONATHAN T.

Examiner

Seung H Lee

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/20/03</u> . | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 6-18, and 20-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Bain et al. (US 5,287,434)(hereinafter referred to as 'Bain').

Bain teaches a computer system or PC (14) for controlling a plurality of printers (10-13) for printing barcode (21) or marking encoded information comprising a format editor (22) and a data entry routine (24) serving as means for identifying an input, an expansion unit (26) serving as a data processing means for combining data entered using the data entry routine and the designated format generated by the format editor in which the combined data is sent to a spooler (28), the spooler containing a timer message for checking the status of the each and every printer attached to the system and updating the status information (108) serving as a historical records related to the performance of the system (e.g., the printer is available for printing job or not) in which the timer message routines is periodically generated by the spooler for tracking/verifying the status of the printers , the PC also comprising an data/format storage for storing a plurality of formats or graphic numbers in which are selectable during creation of the printing job for printing the barcode on a web (25) wherein such memory storage serves as a database for providing a appropriate format for particular print job and available

Art Unit: 2876

printer for printing the requested prints job, the PC comprising a keyboard (16) and a mice device (not shown) inherently for operating the PC and providing additional inputs for processing user(s) requests, a user can configure the spooler to meet his/her demand by various operator control panels such as defining queue (40), defining printer (48), assigning printer to queue (56) such configuration procedure serves as an administrative control,

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bain in view of Balakrishnan et al. (US 6,763,382)(hereinafter referred to as 'Balakrishnan').

The teachings of Bain have been discussed above.

In addition to the teachings of Bain as discussed above, he also teaches that a host computer (15) can be interact with the plurality of printers in which the print jobs can be originated from the host computer (see col. 3, lines 38-62).

However, Bain fails to particularly teach or fairly suggest the data storage comprises an external legacy system.

However, Balakrishnan a network system comprising an external legacy system such as a remote host storing data/information wherein data is configured in client device or a personal computer wherein each and every personal computer having its own user interface serving as a control panel and such stored data in the remote host transmitted to the end user interface or control panels (see Figs. 1-6; col. 6, lines 37+).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Balakrishnan to the teachings of Bain in order to provide an improved recovery system by storing the data in remote host wherein stored data can be readily retrievable to store in the client system or personal computer if needed by accessing the remote host. Moreover, such modification would provide a user-friendly system wherein any user having privileges for accessing/using personal computer located within the network could connect with the plurality the printers attached to the networks for printing document with barcode thereon.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure;

Kageyama et al. [US 5,625,757] discloses a printing system having a plurality of terminals,

Boswell [us 5,559,933] discloses a system for transferring and printing files,

Pigos, Jr. et al. [US 6,370,521] discloses a tracking system for tracking of data.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Seung H. Lee whose telephone number is (571) 272-2401. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.


If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee, can be reached on (571) 272-2398. The fax-phone number for this group is (703) 872-9306.


Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [seung.lee@uspto.gov].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Art Unit: 2876

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
Seung H. Lee  
Art Unit 2876  
October 25, 2004

  
MICHAEL G. LEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800